

Application No. 10/756,549
Response to OA of 12/13/2005

Remarks

In the present response, two claims (5 and 19) are amended. Claim 5 is amended to correct a typographical error. Claims 1-21 are presented for examination.

I. Objection: Claims

First, the Office Action objects to claim 4 since it recites "the first resistance and a second known resistance." Applicant respectfully traverses. Claim 4 depends from claim 3, which recites a measuring system that "detects a first resistance." As recited in claim 4, a voltage divider uses "the first resistance and a second known resistance." Applicant believes that antecedent basis for "the first resistance" back to claim 3 is correct.

Second, the Office Action objects to claim 5 for reciting "the first resistor." Applicant thanks the Examiner for noting this typographical error. The claim is amended to correct the error.

II. Claims Rejection: 35 USC § 102(e)

Claims 1 – 21 are rejected under 35 USC § 102(e) as being anticipated by USPN 2003/0206512 (Ashton). Applicant respectfully traverses this rejection.

A proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Ashton neither teaches nor suggests each element in the claims, these claims are allowable over Ashton.

Overview of Ashton (2003/0206512)

Looking to FIG. 5, Ashton teaches a storage system 200 that includes electron emitters 102/104, a storage device 100, and a control system 202. The storage medium 106 produces photons 240 or a cathodoluminescence signal when the medium is exposed to an electron beam from the electron emitters ([0027]). Ashton explains:

The term cathodoluminescence, as used herein, is defined as the light emission associated with the excitation of materials by an

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electron beam. In one aspect, cathodoluminescence is the light emitted by the storage medium as a result of electron bombardment ([0027]).

During a read operation, the storage medium is bombarded with electrons in order to produce light or photons 240 (i.e., a cathodoluminescence signal). These photons are then "detected by photodiode 109, which provides a corresponding output signal 242 to control system 202" ([0036]). Thus, Ashton measures photon emission to perform a read operation.

Independent Claim 1

Claim 1 recites a resistance measurement system for reading information on a storage medium. Specifically, claim 1 recites that information stored on the storage medium is read "by measuring resistance to determine a state of a storage area on the information layer" (emphasis added). Ashton does not measure "resistance" to determine a state of the storage area. By contrast, Ashton measures photon emissions to perform a read operation. As noted above, Ashton uses a photodiode to detect photons emitted from the storage medium when it is bombarded with electrons.

For at least these reasons, independent claim 1 is allowable over Ashton. The dependent claims are allowable for at least these reasons.

Independent Claim 8

Claim 8 recites a resistance measurement system for reading information on a storage medium. Specifically, claim 8 recites that information stored on the storage medium is read by detecting "a resistance value representative of whether the information layer is in the first state of the second state" (emphasis added). Ashton does not detect a "resistance value" to determine a state of the storage area. By contrast, Ashton measures photon emissions to perform a read operation. As noted above, Ashton uses a photodiode to detect photons emitted from the storage medium when it is bombarded with electrons.

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For at least these reasons, independent claim 8 is allowable over Ashton. The dependent claims are allowable for at least these reasons.

Independent Claim 14

Claim 14 recites a resistance measurement system for reading information on a storage medium. Specifically, claim 14 recites that information stored on the storage medium is read by detecting "a resistance value representative of whether the information layer is in the first state of the second state" (emphasis added). Ashton does not detect a "resistance value" to determine a state of the storage area. By contrast, Ashton measures photon emissions to perform a read operation. As noted above, Ashton uses a photodiode to detect photons emitted from the storage medium when it is bombarded with electrons.

For at least these reasons, independent claim 14 is allowable over Ashton. The dependent claims are allowable for at least these reasons.

Independent Claim 19

Claim 19 recites a resistance measurement system for reading information on a storage medium. Specifically, claim 19 recites that data stored on the storage medium is read by "reading resistance values to determine data stored at the media partition" (emphasis added). Ashton does not read "resistance values" to determine a state of the storage area. By contrast, Ashton measures photon emissions to perform a read operation. As noted above, Ashton uses a photodiode to detect photons emitted from the storage medium when it is bombarded with electrons.

For at least these reasons, independent claim 19 is allowable over Ashton. The dependent claims are allowable for at least these reasons.

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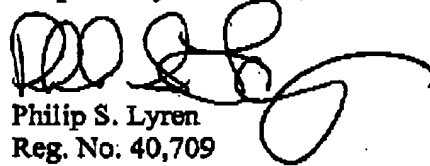
CONCLUSION

In view of the above, Applicant believes that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 23rd day of February, 2006.

By 

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